

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
)	
v.)	Criminal No. 99-258-A
)	Civil Action No. 1:05cv390
GILBERT F. HEPBURN,)	
)	
Defendant.)	

ORDER

For the reasons stated in the accompanying Memorandum Opinion, Gilbert F. Hepburn's Motion to Correct Sentence Pursuant to 28 U.S.C. § 2255 is DISMISSED WITH PREJUDICE.

Should he wish to appeal, defendant must file a notice of appeal in writing with the Clerk of this court within sixty (60) days of this Order. He must also request and obtain a certificate of appealability from a circuit justice or judge. See 28 U.S.C. § 2253(c)(1)(B); Fed. R. App. P. 22(b). This Court expressly declines to issue such a certificate.

The Clerk is directed to forward copies of this Order to defendant, pro se and counsel of record.

Entered this 3rd day of May, 2005.

/s/
Leonie M. Brinkema
United States District Judge

Alexandria, Virginia